



House of Representatives

General Assembly

File No. 194

January Session, 2011

Substitute House Bill No. 6113

House of Representatives, March 24, 2011

The Committee on Public Safety and Security reported through REP. DARGAN of the 115th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE INVESTIGATION OF MISSING ADULT PERSONS REPORTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2011*) (a) For the purposes of
2 this section and section 7-294o of the general statutes, as amended by
3 this act, "law enforcement agency" means the Division of State Police
4 within the Department of Public Safety or any municipal police
5 department, and "adult person" means an individual who has attained
6 the age of twenty-one years.

7 (b) A law enforcement agency shall accept without delay any report
8 of a missing adult person.

9 (c) The unit of the Division of State Police within the Department of
10 Public Safety that investigates missing adult persons shall, as
11 appropriate, enter all collected information relating to a missing adult
12 person case into the National Crime Information Center database and

13 any other applicable federal database with all practicable speed.

14 Sec. 2. (NEW) (*Effective October 1, 2011*) (a) After performing any
15 death scene investigation when homicide is suspected, the official with
16 custody of the human remains shall ensure that the human remains are
17 delivered to the Office of the Chief Medical Examiner.

18 (b) The Chief Medical Examiner shall obtain from the human
19 remains (1) samples of tissue suitable for DNA typing, if possible, or
20 (2) samples of whole bone or hair suitable for DNA typing. The Chief
21 Medical Examiner shall immediately submit the samples obtained to
22 the Division of Scientific Services within the Department of Public
23 Safety.

24 Sec. 3. Section 7-294o of the general statutes is repealed and the
25 following is substituted in lieu thereof (*Effective October 1, 2011*):

26 (a) Not later than January 1, [2008] 2012, the Police Officer
27 Standards and Training Council shall develop and implement a policy
28 concerning the acceptance of missing person reports, including, but
29 not limited to, adult missing person reports, by law enforcement
30 agencies in this state and such agencies' response thereto. Such policy
31 shall include, but not be limited to, (1) guidelines for the acceptance of
32 a missing person report, (2) the types of information that a law
33 enforcement agency should seek to ascertain and record concerning
34 the missing person or missing adult person that would aid in locating
35 the missing person or missing adult person, (3) the circumstances that
36 indicate that a missing person or missing adult person is a high risk
37 missing person, (4) the types of information that a law enforcement
38 agency should provide to the person making the missing person
39 report, to a family member or to any other person in a position to assist
40 the law enforcement agency in its efforts to locate the missing person
41 or missing adult person, and (5) the responsibilities of a law
42 enforcement agency in responding to a missing person report and the
43 manner of such response, including preferred methods of response
44 that are sensitive to the emotions of the person making such report.

45 (b) Each police basic or review training program conducted or
46 administered by the Division of State Police within the Department of
47 Public Safety, the Police Officer Standards and Training Council or a
48 municipal police department shall include training in the policy
49 developed pursuant to subsection (a) of this section and training in the
50 use of the National Missing and Unidentified Persons System created
51 by the Office of Justice Program's National Institute of Justice.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	New section
Sec. 2	<i>October 1, 2011</i>	New section
Sec. 3	<i>October 1, 2011</i>	7-294o

Statement of Legislative Commissioners:

The term "adult" in section 1 (a) was changed to "adult person" for conformity with the term's use throughout the bill.

PS *Joint Favorable Subst.-LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

Section 1 requires the Department of Public Safety (DPS) to enter all collected information relating to a missing adult person case into the National Crime Information Center database. It is anticipated that DPS can do so within existing resources.

In 2009, 2,092 missing adult persons cases were reported in the state. It is anticipated that DPS would only input cases which are active after seven days. Therefore, it is estimated that approximately 500 cases would be entered into the system pursuant to the bill.¹

Section 2 requires the Office of the Chief Medical Examiner to submit DNA samples to DPS when homicide is suspected. This provision codifies current practice and has no associated fiscal impact.

Section 3, which requires the Police Officer Standards and Training Council (POST) to develop and implement a policy on handling missing persons reports, results in no fiscal impact. In January 2008, POST issued a policy on handling and accepting missing persons reports which satisfies the intent of the bill. Additionally, the training requirements in sensitivity and the use of the National Missing and Unidentified Persons System are already included in the recruit

¹ This estimate is based upon the Iowa Missing Persons 2003 Annual Report in which statistics show that 76% of missing persons were cleared within one week. Assuming a similar rate of clearance in the Connecticut cases, approximately 1,590 cases are estimated to clear within seven days while 500 cases remain open longer.

curriculum for all police officers.

The Out Years

State Impact: None

Municipal Impact: None

*Sources: Department of Public Safety, "Crimes In Connecticut" 2009 Report
Iowa Department of Public Safety, "Missing Persons 2003 Annual Report"*

OLR Bill Analysis**sHB 6113*****AN ACT CONCERNING THE INVESTIGATION OF MISSING ADULT PERSONS REPORTS.*****SUMMARY:**

This bill changes the way police must handle reports of missing adults, which the bill defines as anyone age 21 or older.

The bill requires the state and local police to accept without delay any report of a missing adult. Another law, unchanged by the bill, requires local police to accept immediately reports of mentally impaired persons age 18 or older and adults age 65 or older (see BACKGROUND).

The bill requires the State Police unit that investigates cases of missing adults to enter, as appropriate, all information collected on the adult into the National Crime Information Center database and any other applicable federal database with all “practicable speed.”

The bill requires that, after performing any death scene investigation in a suspected homicide case, the official with custody of the human remains must ensure that they are delivered to the Office of the Chief Medical Examiner. It requires the chief medical examiner to obtain samples of tissue, whole bone, or hair suitable for DNA typing from the remains and submit them immediately to the Department of Public Safety Division of Scientific Services.

The bill extends, from January 1, 2008 to January 1, 2012, the deadline for the Police Officers Standard and Training (POST) Council to develop a missing person policy that includes provisions on police handling of reports of missing adults. (POST has already developed a

policy.) The bill also requires each police basic or review training program the State Police, POST, or a municipal police department conducts to include training in the policy and in the use of the National Missing and Unidentified Persons System created by the “Office of Justice Program’s National Institute of Justice.”

EFFECTIVE DATE: October 1, 2011

MISSING PERSON POLICY

Current law required POST, by January 1, 2008, to develop and implement a policy for accepting reports of missing persons. The bill extends the deadline to January 1, 2012. It also specifies that the provisions policy must include on missing adults, but the legal effect of this addition is unclear because current law does not specify any age for a missing person. Under current law, the policy must include:

1. guidelines for accepting reports;
2. types of information the agency must collect and record;
3. circumstances that indicate that a missing person should be classified as high risk;
4. types of information the agency should provide to anyone making a report, the missing person’s relatives, or other people who can help the agency find the person; and
5. agency responsibilities and procedures in responding to a report.

The bill requires that the policy also include preferred methods of response that are sensitive to the emotions of a person making a report.

BACKGROUND

Related Law

Missing Persons. CGS § 7-282c requires local police departments that receive reports of a missing child under age 15, mentally impaired person age 18 or older, or person age 65 or older to accept the report

for filing immediately and inform all on-duty police officers and other appropriate law enforcement agencies.

Clearinghouse. By law, local law enforcement agencies must submit to the state Missing Child Information Clearinghouse reports of all missing (1) children under age 18, (2) mentally impaired adults age 18 or older, and (3) seniors age 65 and older. Parents may also notify the clearinghouse once they report to local police.

The clearinghouse is the state's central repository of information on missing children. But, subject to available resources, the clearinghouse may collect, process, maintain, and disseminate information to help locate missing persons other than those mentioned above (CGS § 29-1e).

Related Bill

sSB 765, reported favorably by the Public Safety and Security Committee, also contains provisions related to missing children.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 24 Nay 0 (03/08/2011)